Summary of the Arguments Presented at the Supreme Court.

The HOME GUARD has already given a summary of the case now before the Supreme Court regarding the respective constitutional authority of the Provincial Legislatures and the Dominion Parliament to enact prohibition laws, giving a full list of the questions submitted for decision, and also the contentions of the Provincial and Dominion authorities. We were not correct, however, regarding the position of Ontario. It was not one of neutrality, as was at first represented, but on the other hand, it claims the legal authority to prohibit the sale, retail and wholesale, and also the manufacture and importation, In fact, "Ontario claims the whole earth" in this matter of prohibition. We shall soon see what the Supreme Court decides on.

As the question is one of such great importance in regard to all future liquor legislation we desire to give a good summary of the arguments presented by the various counsels at the Supreme Court. We have not seen a more comprehensive and concise one than that published in The Advocate of last week. We will therefore reproduce the most of it

THE DOMINION POSITION. For the Dominion Government the Hon. J. J. Curran, Solicitor-General, appeared. It will be seen that he went much farther than was generally expected in conceding that the Provincial Legislatures have the right to absolutely prohibit the sale by retail. This was at one time much disputed. The Advocate reports him as follows:

The Solicitor-General, Hon. J. J. Curran, opened the argument for the Ottawa Government by stating among other things, that the Dominion conceded to the Province the absolute right to prohibit the retail sale of liquor and claimed only the right to control the wholesale sale, together with the manufacture and importation of liquor which belonged to the Dominion as a branch of trade and commerce. He admitted that the local option law was valid, inasmuch as it purported to prohibit only the retail sale, and did not interfere with the wholesale, which drew the line at ten gallons, as laid down in the Canada Temperance Act.

ONTARIO'S POSITION.

The Attorney-General of Ontario, Sir Oliver Mowat, contends (1) that the Provincial Legislature has power to prohibit the sale within the Province of intoxicants; (2) that it has such jurisdiction regarding portions of the Province in which the Canada Temperance Act is not in operation; (3) that it can prohibit manufacture, and (4) that it has power to prohibit importation.

DR. MACLAREN'S ARGUMENT.

Counsel for the Province of Ontario, Mr. J. J. MacLaren, argued that the Provincial Legislature had exclusive control both of the wholesale and retail trade, as well as of the manufacture and possibly of the importation, while the counsel for the Province of Quebec took the same view as the Solicitor-General. Mr. MacLaren acknowledged that the decision of the Privy Council of England on the Mc-Carthy Act of 1883 had shown that there was a substantial difference between wholesale and retail, but that the control of both belonged to the Provinces. He held that the Provinces had foregoing summary is a brief outline. the power under the head of the municipal institutions, which were meant to include municipal powers as they existed in the several Provinces, especially in Upper and Lower Canada, before Confederation. The municipalities in these Provinces had the power | though a longer time would be unof prohibition, which still continued, as it was not expressly taken away from He also claimed that the Provinces had the right to deal with the subject under the head of matters of a local nature, and that so long as the Dominion did not pass a prohibitory law, the Provinces had the right to do so as a local matter. He referred to the Pharmacy Acts in the various Provinces, by which the sale of poisons was restricted, substantially as was proposed in the case of the prohibition of liquor under the legislation suggested. The constitutionality of the laws relating to the sale of poisons had been | Home Guard will be glad to hear of questioned in the courts of Quebec, some bright young Canadian success- moral evils. and there the rights of the Provinces fully competing in this matter. We had been maintained. He went on to have no doubt but the competition is argue that a prohibitory law would be open to them also. within the jurisdiction of the Provinces as dealing with a merely local matter. If it should be claimed that such prohibitory legislation does not come of the writer must be sent on a separwithin the sub-sections quoted on ac- ate sheet, in a sealed envelope, and count of its being covered by "the also an American postage stamp in regulation of trade and commerce," the case the return of the manuscript is pest answer is to be found in the case | desired. cited, where it says that regulation of trade and commerce may have been used in some such sense as the "regulations of trade" in the Act of Union between England and Scotland, and amined by a committee appointed for Any person suffering from Deatness, as these words have been used in the the purpose. We fancy that further Noise in the Head, etc., may learn of acts of states relating to trade and information can be obtained by ad- a new, simple treatment, which is commerce. This article enacts that dressing that lady. Would it not be proving very successful in completely all subjects of the United Kingdom | well for our Canadian W. C. T. U.s to | curing cases of all kinds. Full parcourse of trade and navigation to and matter? The study and preparation testimonials and newspaper press and diminishes the sensibility of the from all places in the United King- of such essays would result in much dom and colonies, under prohibitions, restrictions and regulations of trade. specific trades in one part of the Manor, Penn.

The Constitutional Question United Kingdom only, without it being Presbyterianism and Prohibition. articles of union. Constructing, therefore, the words "regulation of trade and commerce" by various aids to their interpretation above suggested, they would include political arrangements in regard to trade requiring the sanc tion of Parliament, regulation of trade in matters of interprovincial concern, and it may be that they would include general regulation of trade affecting the whole Dominion.

MR. CARTWRIGHT'S POSITION. Deputy Attorney-General Cartwright continued the argument for Ontario. He contended that the British North America Act in no way intended to cut down the powers of any municipality, and the highest courts of the realm had held that the powers still remained in the municipalities. No one could deny now that the whole question of licenses was in the hands of the Provinces, consequently it could not be contended that this was within trade and commerce regulations for the purposes of prohibition. If the Province can prohibit the sale on polling day and Sunday, why not Monday or any other day? And if it can stop the sale to a drunkard or a minor, why not to other persons?

QUEBEC'S CONTENTION. Mr. L. J. Cannon, for Quebec, said that Solicitor-General Curran admitted all that Quebec claimed and a little more. Quebec claims the right to control the retail sale of intoxicating liquors, and to limit the number of licenses issued to the wholesale. His Province had defined what was wholesale and what is retail, and power was given to all municipalities to prohibit the retail sale, or in other words, to issue no licenses for the sale of less than two imperial quarts. This was taken from the Dunkin Act, minus the quantity. The Province of Quebec thought total prohibition of any article was the suppression of trade and commerce, and was beyond the power of the Provincial Legislature. During the course of Mr. Cannon's argument Chief Justice Strong said that wherever the licensing power was, there also was the

to the retail trade. THE LIQUOR DEALERS' OBJECTIONS. Mr. Wallace Nesbitt addressed the court on behalf of the brewers and distillers. He contended that the right to prohibit both wholesale and retail selling lies with the Dominion. Mr. Saunders followed in the same line, and asked for a strict construction of the British North America Act, contending that the Canada Temperance Act and the Ontario Local Option Law were statutes which clashed, and that in matters of such vast importance the Local Legislature had to give way to

power to prohibit, limiting that power

the Federal Government. The Advocate remarks: "The attitude in part taken by the Dominion Government was somewhat of a surprise, placing as it did the entire onus of resisting the doctrine that the Provinces had the right to control the retail trade upon the counsel for the Distillers and Brewers' Association."

"The counsel for the distillers and brewers, as will be seen, contended that there is no distinction between wholesale and retail, and they produced high authority in support of this view.

"Whatever the result may be the case is certain to be carried to the Imperial Privy Council, who will be called upon to finally decide what the Provincial and Dominion rights in the premises really are."

Nearly four days were occupied in hearing the arguments, of which the The judges have now the subject under consideration and may reasonably be expected to give judgment at the September session. As the question, in its various forms, has been so many times before them it seems as reasonable. The whole country will wait with interest for that decision.

There is great fret and worry in always running after work; it is not good intellectu. ally or spiritually. -[ANNIE REACY.

To Young Writers.

A Miss Kendall, a wealthy New York lady, has arranged to give a valuable gold medal for the best essay prepared by any boy or girl between the ages of 14 and 18 years on, "The attitude of the Bible toward man's treatment of dumb animals." The

Essays are limited to from 2,000 to 3,000 words. They must not be

These essays must be sent by the 15th of August next, addressed to Mrs. Emanuel Friend, 584 Jackson street, Milwaukee, Wis., to be exgood, anyway.

Parliament, he claimed, had frequently can be procured by addressing, with the public. Address, Aural Specialist, passed laws affecting and regulating stamp, Mary F. Lovell, box 163 Bryn Albany buildings, 39, Victoria street,

Action of the Toronto and Kingston Presbytery Last Week.

At the meeting of the Toronto and Kingston Presbytery, held in Westminster Church, Toronto, recently, a very able and elaborate report of the committee of temperance was presented by Rev. Wm. Frizzell, the chairman. The report sets out by reference to the pleasing fact that the Provincial plebiscite in January gave a majority of 81,769 for prohibition, and that every city which are considered the strong-holds of the liquor traffic, gave a majority, with the single exception of Windsor.

ALL WANT PROHIBITION.

The report goes on to state that the third question sent out to the sessions was as follows:

"What do you regard as the best method of preventing the indiscriminate sale and use of intoxicating liquors?"

The committee reported on this

question as follows: "'Prohibition' is the prevailing answer to this question. All the sessions in the Presbyteries of Algoma, Lindsay, Kingston and Owen Sound regard prohibition as the best method of preventing the indiscriminate sale and use of intoxicating liquors. The same view is taken in 21 out of 25 sessions in Guelph Presbytery; by 32 sessions out of 42 in Toronto, by all in Saugeen; and by 16 in Barrie. Whitby gives no figures, as the full report by mistake was sent on to the General Assembly's convener on temperance. Among the sessions that do not commit themselves to prohibi- French Wines and Temperance. tion, we have such methods as these suggested: 'Better enforcement of the license law.' 'Educate the youth in our schools and homes in the principles of total abstinence,' Let the public conscience be more enlightened on the subject.' One session favors 'the placing of the sale of liquor in the hands of salaried government officials.' Another suggests 'high license.' Your committee is gratified to find such a consensus of opinion in favor of pro-

of intoxicating liquors." ABOUT LEGAL ENFORCEMENT. sessions on this question, it may be said, the vast majority are of opinion that prohibitory measures could be enforced, and that our people would give can be legally enforced, and with most satisfactory results, and they are ready to give moral support to officers in enstrong moral support to officers who were honestly seeking to enforce the law.' Some would make the appointview of failures in the past to enforce local option laws. On the whole, of this question are encouragingly

optimistic." SOME RECOMMENDATIONS. Among the recommendations contained in the report were the following: That our people be advised to look

out for men, as members of Parliament, who will put the principle of prohibition above party, and accordingly will vote against their political party, if necessary, in order to secure the triumph of the aforesaid principle.

That this synod, having learned with satisfaction that an overwhelmingly large proportion of sessions are in favor of a prohibitory law, earnestly looks to the Government having jurisdiction in the matter to embody the wishes of our people in such a law, at an early date, and would further assure such a Government of our hearty moral | suggests that they help to account for support in its enforcement.

That while we rejoice at the constantiy growing temperance sentiment among our congregations, we would as constantly remind them of the importance of keeping the Gospel in the foreground as the great remedy for all

The question of the adoption of the report came up for discussion and Rev. D. J. Macdennell, of Toronto, who has long opposed both total abstinence and prohibition, gave the only dissentsigned, but the name, address and age ing vote. The vote stood 80 to 1 in its favor.

Rev. Mr. Duncan, of Tottenham, moved a non-committal amendment advising Presbyterian adherents to use all legitimate means to secure the triumph of prohibition. This got only four votes.

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As Others See Us.

The Scottish Reformer, of Glasgow, a leading Scottish temperance journal that pays a good deal of interest to Canadian affairs, has just been remarking about the prohibition movement as it now appears in this Dominion. After referring to the enactment of the Dunkin Act in 1864, the Scott Act of 1878, and the McCarthy License Act of 1883 it goes on to speak of the sweeping recent plebiscite verdicts of 12,500 in Manitoba, 82,000 in Ontario, 7,000 in Prince Edward Island, and 30,000 in Nova Scotia, and then expresses astonishment that in the face of all these the Dominion Government still remains unmovable. Referring to the recent prohibition

his answer, the Reformer goes on to "With brutal frankness their demand was bluntly refused, as the Government could not run the country were the contribution to the revenue of the drink traffic cut off by prohibition. The sum involved is only £1,800,000, but it is at present a sufficient barrier to prohibition. We believe that, though repulsed, the Canadians have no intention to succumb. They will, we hope, use the laws they haveespecially the Scott Act—and, at the same time, continue their appeal to the people till they rouse them to refuse to meet the expense of the country at the cost of the shame and dishonor but one session in Orangeville; by 10 of their women, and the debasement and deterioration of their men. Their revenue will no longer rest upon the

The idea at one time prevailed pretty generally, even among the most intelligent Canadians, that the free introduction of light wines, especially French wines, would do a great deal towards making people more temperate. It is now an argument, among a few of the less thoughtful people especially, in favor of the adoption of the new French treaty, that the free hibition as the best method of pre- use of these wines would destroy the venting the indiscriminate sale and use demand for the more fiery and intoxicating distilled liquors. Such people seem to overlook the fact that the use On this subject the report was as fol- of any kind of alcoholic drinks is allows: 'In summarizing the views of most sure to create an appetite for stronger ones.

Wine drinking too often ends in a places to drive temperance nails. thirst and demand for spirit drinking. hearty moral support to officers in car- France during the past few years; it is songs should be said and sung by our rying them out. One Presbytery re- its experience to-day. English writers little ones, led by the elders. port voices the views of the people who so frequently remarked the thus: 'The members and adherents absence of drunkenness in France We cannot do better here than

forcing it.' Another says: 'There in France. In a recent article, writing seems to be a general conviction that on the decline in population in such a law could be enforced, and that that country, without any special the people, as a whole, would give referance to the temperance question, it went on to say that: "A deplorable change has occurred in France regarding indulgence ment of faithful officers, in sympathy in strong drink. Thirty or forty years with temperance sentiment, a con- ago France, thanks to its wine dition of proper enforcement. Others and cider, was considered the most speak with a good deal of caution, in sober nation in the world, and the gayety, vigor and elasticity of the race were a result of its temperance. Tohowever, the views our sessions take day France has changed places with temperance work when small will never Great Britain. Within the last twenty forget it, they will be stronger for produced a remedy which will give such years the consumption of alcoholic drinks in England has diminished by one-half, and now France stands almost at the head of the list, with 4.56 litres consumption per head, while in Great Britain the figure is only 2.70 litres, in the United States 2.82, in Russia 3.07, in the Netherlands 4.49, in Belgium 4.91, in Germany 4.40. The increase in the annual consumption of alcohol in France has been from 1,400,000 hectolitres in 1885 to The greatest worm destroyer of the 1,735,369 in 1892. Within the same age. time the number of liquor sellers has increased from 390,000 to more than 450,000, which makes a seller to every twenty voters throughout France. The Temps brings all these facts in connecthe fact that the population of France has ceased to grow. Last year there her." "I don't mean to, ma'am," was were 20,000 more deaths than births. As it is known that in Australia, America and Africa whole nations have been destroyed by alcohol, the Temps thinks it is time for the French to stop laughing at the English temperance movement, which has taught the working classes to substitute tea and coffee for alcohol.'

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Temperance in Sunday Schools. (By J. Parsons, B.A., Halifax, N. S., for the HOME GUARD.)

For the proper training of our young people there should be sound temperance teaching at home, in the day school, from the pulpit, through the press and in the Sunday school. Let me here say a few words to the Home Guard readers regarding temperance in our Sunday school work.

This temperance teaching must be done and well done, or intemperance will seize our boys and bring misery and ruin upon our homes and our daughters. Many of the drunkards of to-day were Sunday school scholars a few years ago. Were they properly instructed? "Train up a child in the way he should go," etc.—Do you believe this? I do.

deputation to Sir John Thompson and This word "training" means more than teaching; and Sunday school workers can only teach and help train. More is said and done now against strong drink than against stealing. That is right, because theft does really less harm in the world than "alcohol," and it is best and bravest to fight the evil that is near and doing most harm. Temperance is worth all the time and energy and example we can give it. Temperance has done more for us than the best of us have done for temperance. The returns are first-class from this investment; compare the homes and comforts of to-day with the old drinking times. History, science and our surroundings as well as religion, give no uncertain sound on this subject, and so in recent years temperance lessons are placed in our curriculum. slavery, ruin, and destruction of their

Example is a superior method in teaching. Imagine for a moment a Sunday school teacher or superintendent or a pastor going to school with the fumes of brandy or whisky (or even wine or cider) on his breatn! Men and women who drink do not shine as Sunday school workers. Even to go to such teachers. Precept is a powerful teacher. Tact must be used in this as in other transactions. Dr. Ellis, of Baltimore, one Sunday in our pulpit here reading the Scripture-"Whatsoever ye do, do all to the glory of God," stopped and said, "If any of you can ask God's blessing on a glass of rum or brandy, then drink it to the glory of God." These few words had a powerful effect. In quarter the earnest teacher finds many

Literature, illustrated papers and libraries should keep temperance to of our congregatious are, almost to a compared to England, were writers of the front. The children should be man, quite confident that prohibition years ago. Now things have changed. encouraged to read their papers, and then hand them to others, thereby getquote from the Paris Temps, one of ting and giving much good. A picture the most leading and reliable journals or story thus carried into homes has often touched drinking, careless parents whom you, dear reader, and I could never reach directly.

Every school should select portions of their city, town or county, and the pupils and teachers could sow temperance seed in every family therein so much and so persistently as to elevate the whole community. The schools of the city can combine and make blessed home mission work with allotting districts for each to visit and supply with literature. Boys and girls who do sobriety and prohibition when grown

Pledging is a good thing. The writer is sober to-day because he said the pledge and learnt it in 1848. Let teachers lead their classes in signing; give nice membership cards to all.

Pleasant as syrup; nothing equals it as a worm medicine; the name is Mother Graves' Worm Exterminator.

"How are you getting on in your new place?" asked a lady of a girl whom she had recommended for a situation. "Very well, thank you." "I tion with the population question and am truly glad to hear it," said the tutes. lady. "Your employer is a nice person, and you cannot do too much for the innocent reply.

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A FARMER'S SON TORTURED.

Confined to the House For Months and Unable to Walk.

A Sensational Story From the Neighborhood of Cooksville-The Father Tells How His Son Obtained Release-What a Prominent Druggist Says.

From the Toronto News. Four miles from the village of Cooksville, which is fifteen miles west of Toronto on the credit Valley division of the C. P. R., on what is known as the "Center read" is the farm of Thos. O'Neil. In this village and for miles around he is known as a man always ready to do a kindness to anyone who stands in need of it. Because of this trait in his character, whatever affects himself or his household is a matter of concern to the neighbors generally. So it happened that when his eldest son, William O'Neil, was stricken down last spring, and for months did not go out of the door, those living in the vicinity were all aware of the fact and frequent inquiries were made regarding the young man. When after suffering severely for some three months, young O'Neil reappeared sound and well, his case was the talk of the township. Nor was it confined to the immediate vicinity of Cooksville, as an outer ripple of the tale reached the News, but in such an indefinite shape that it was thought advisable to send a reporter to get the particulars of the case, which proved to be well worth publishing in the public interest. On reaching Cooksville the reporter found no difficulty in locating the O'Neil farm, and after a drive of four or five miles. the place was reached. Mr. O'Neil was found at the barn attending to his cattle, and on being made aware of the reporter's mission told the story in a straightforward manner. He said. "Yes it is true my boy has had a remarkable experience. I was afraid he wasn't going to get better at all, for the doctor did him no good. At the time he was taken ill he was working for a farmer a couple of miles from here, and for a time last spring he did a lot of work on the road, and while he was working at this there was a spell of cold wet weather. when it rained for nearly a week. He kept working right through the wet and he came home with his shoulders and wrists so sore that he couldn't work. He got gradually worse, the pains spreading from his shoulders and wrists to rum sellers don't want their children his hands and then to his legs, finally setting in his knees and ankles and feet, so that he couldn't stir at all some days, I sent for a doctor from Streets. ville. He said the trouble was an attack of rheumatism, and although he kept visiting him every few days and giving medicine, it did not seem to do any good. The pains did not quit and the boy was suffering dreadfully. Why, when he would wake in the morning he couldn't stir a limb, but gradually during the day he would get a little easier so that he could sit up for awhile. His feet were swollen so much that he could not get on either boots or addition to the one lesson of the stockings. After he had been doctoring for nearly two months without getting a bit better, I concluded Singing clinches many a truth and to try something else, so the next time I went to Toronto I got three That has been the experience of principle, so temperance poetry and boxes of Dr. Williams' Pink Pills at Hugh directions with the Pink Pills, but the first box did not seem to do him any good, but he had scarcely begun the second box when he began to improve greatly, and by the time the third box was gone he was as well and sound as ever and has not had a pain since. He is now working on a farm about six miles from Cooksville, and is as sound and hearty as any young man can be."

On his return to Toronto, the reporter called at the store of Messrs. Hugh Miller & Co., 167 King street east, to hear what that veteran druggist had to say about Dr. Williams' Pink Pills. He remembered Mr. O'Neil getting the Pink Pills, and on a second visit Mr. O'Neil had told him that Pink Pills had cured his son. Mr. Miller, in answer to a question us to how this preparation sold, said that of all the remedies known as proprietary medicines Pink Pills was the most popular. He said he sold more of these than he did of any other remedy he ever handled. This is valuable testimony, coming from a man like Hugh Miller, who is probably the oldest and most widely known druggist in Toronto. The Dr. Williams' Medicine Company are to be congratulated on having results, and which can be vouched for by the best dealers in the Province.

Dr. Williams' Pink Pills are a perfect blood builder and nerve restorer, curing such diseases as rheumatism, neuralgia, partial paralysis, locomotor ataxia, St. Vitus' dance, nervous headache, nervous prostration and the tired feeling therefrom, the after effects of la grippe, diseases depending on humors in the blood, such as scrofula, chronic erysipelas, etc. Pink Pills give a healthy glow to pale and sallow complexions, and are a specific for troubles peculiar to the female system, and in all cases arising from mental worry, overwork

or excesses of any nature. Bear in mind Dr. Williams' Pink Pills are never sold in bulk, or by the dozen or hundred, and any dealer who offers substitutes in this form is trying to defraud you and should be avoided. Ask your dealer for Dr. Williams' Pink Pills for Pale People and refuse all imitations and substi-

Dr. Williams' Pink Pills may be had of all druggists or direct by mail from Dr. Williams' Medicine Company, Brockville, Ont., or Schenectady, N. Y., at 50 cents a box or six boxes for \$2 50. The price at which these pills are sold makes a course of treatment comparatively inexpensive as compared with other remedies or medical

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